



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

WASHINGTON STATE BOARD OF PHARMACY
MEETING MINUTES

May 29, 2008

Department of Health
310 Israel Road SE Room 152/153
Tumwater, WA 98501
Board Office: (360) 236-4825

CONVENE

Chair Rebecca Hille called the meeting to order at 9:01 a.m. May 29, 2008.

Board Members present:

Rebecca Hille, BA – Public Member, Chair	
Gary Harris, RPh, Vice-Chair	Albert Linggi, RPh
Dan Connolly, RPh	George Roe, RPh
Rosemarie Duffy, RN-MA-MSN- Public Member	
Vandana Slatter, PharmD	

Staff Members present:

Steven Saxe, Executive Director (Acting)
Lisa Salmi, Executive Manager
Michael Tribble, AAG
Grant Chester, Chief Investigator
Jim Doll, Investigator
Cathy Williams, Pharmacist Consultant
Tim Fuller, Pharmacist Consultant
Doreen Beebe, Program Manager
Leann George, Program Staff

Guests/Presenters:

Janelle Teachman, Disciplinary Manager

Mission Statement

The mission of the Board of Pharmacy is to achieve the highest standards in the practice of pharmacy and promote public health and safety and to effectively communicate with the Governor, Legislature, the Department of Health, the public and profession.

Vision Statement

The Washington State Board of Pharmacy leads in creating a climate for the patient-focused practice of pharmacy.

We support and encourage our pharmacists to inform, educate, consult, manage drug therapy and provide products as an integral part of an accessible, quality –based health care system.

As a result, the citizens of Washington State:

- Are well informed about medications;
- Take responsibility for their health;
- Utilize pharmacists and other health care providers appropriately; and
- Experience the highest level of health and wellness.

CONSENT AGENDA

1.2 Pharmacy & Other Firm Application Approval

1.4 Pharmacy Tech Training Program Approval

- International Community Health Services – Hong Nguyen
- Bellegrove Pharmacy – Steve Singer
- Richland Clinic Pharmacy – Anne Henriksen
- Apothecary Compounding Solutions – Robert Murdock

1.4.a Safeway Inc – Approval for Portland Division

1.6 Automated Drug Dispensing Device Acceptance

- Chester Pharmacy

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the board without separate discussion. Item 1.1, 1.3, 1.5, 1.7 have been deleted from the Agenda. Rosemarie Duffy and Gary Harris asked that 1.8 be removed from the consent agenda **MOTION:** George Roe moved that the board approve items 1.2, 1.4, 1.6. Gary Harris second. **MOTION CARRIED 7-0.**

1.8 **MOTION:** George Roe moved that the board approve 1.8 adding Rosemarie Duffy to the list of board members in attendance. Gary Harris second. **MOTION CARRIED 7-0.**

RULES HEARING

Rules Concerning Pharmacy Technician National Standardized Examination -WAC 246-901-030 & 060
The board heard and considered the public testimony while deliberating the proposed rules. The proposal rule amending WAC 246-901-030 and 060 was filed in the Washington State Register as WSR# 08-09-102. The proposed rules will require pharmacy technician candidates to pass a national standardized examination. A standardized examination will help assure that applicants possess the basic knowledge and skills to assist pharmacists in the practice of pharmacy in all practice setting.

Board Chair Rebecca Hille presided over this hearing, which began at 9:06 a.m. The hearing was divided into two parts. A question and answer segment followed by public testimony and board deliberations.

Program Manager, Doreen Beebe provided background on the rule and the process used to solicit stakeholder input. Ms. Beebe acknowledged Tim Fuller and Rosemarie Duffy for their hard work throughout the process. She thanked the board for their enthusiasm in pursuing this project and for recognizing the important role the Pharmacy Technicians play in the delivery of quality patient care.

Proposed Rule Language: What will this rule do?

- The rule requires initial applicants to pass a board approved national standardized exam before credentialing.
- The rule requires the board to develop exam criteria and name all board-approved examination(s).

- The rule requires the board to update the standards for on-the-job board-approved pharmacy technician training programs. OTJ programs are currently reviewed and approved based on training specific to the practice site.
- The rule will exempt current pharmacy technician credential holders from meeting the new standards for certification in Washington State.

What won't this rule do?

- The rule will not eliminate experiential training.
- The rule will not require continued national certification or continuing education credits.

The Chair opened the hearing to public testimony. Rosemarie Duffy read into record a summary of comments received during the open public comment period.

After reading the 23 comments that were sent to the board it was time to turn over the hearing to the public for their testimony regarding this rule. There were three public testimonies given and all three were to support this rule along with the grandfather clause.

Key Issues

- **Grandfather clause:** There were comments pertaining to the grandfather clause that were for and against the clause.
- **Continuing Education:** There were some concerns about continuing education. The board does not have the authority to mandate CE's this will not be added into the rule.
- **Examination:** Recommendation to approve national examinations accredited by the National commission for Certifying Agencies; Pharmacy Technician Certification Board exam – PTCE; Institute for the Certification of Pharmacy Technician exam – ExCPT; and recommendation to approve technician training programs accredited by Accrediting Bureau of Health Education Schools (ABHES) Most of the comments /concerns came with opinions of organization that provided exams that were nationally recognized.

The board considered and discussed the core recommendations made by each written comment and public testimony given. They began their discussion regarding the grandfather clause in this rule. The board discussed the economical impact not having the cause would cause, other states also have a grandfather clause, stake holders made it very clear they want the clause. After the feedback and discussion the board agrees that there will be no change to the grandfather clause portion of this rule.

The target date for implementation of the rule was October 28, 2008 to coincide with Pharmacy Technician Month. Public educators present at the hearing were asked for their recommendations. Based on their input, the board decided to delay the implementation of the rule until January 1, 2009. **MOTION:** Rosemarie Duffy moved that the board adopt proposed amendments to WAC 246-901-030 and 060 Technician Education and Training Certifications. Dan Connolly second. **MOTION CARRIED 7-0.**

MOTION: Rosemarie Duffy moved that the adopted rules go into effect January 1, 2009. Dan Connolly second. **MOTION CARRIED 7-0.**

Implementation Timeline:

- June 30, 2008- Develop criteria for board –approved exams.
- June 30, 2008- Update criteria for board-approved training programs and communication plan
- July 17, 2008- Adopt criteria and identify approved exam(s).

- Sept 4, 2008- Approve communication plan
- January 1, 2009 - Effective date

The rules hearing concluded at 10:24 am.

Note: A summary of the boards responses to public comments will be made available to those that have testified and may be requested by contacting the board office.

REPORTS

Board Members

Dan Connolly reported:

- Met with Department of Health staff and Rod Shafer (Washington State Pharmacy Association CEO) to discuss Coordinated Quality Improvement Programs. Met with representative of SureScripts to discuss issues with electronic transmitted prescription. Bartell Drugs will be meeting with the prescribers to discuss concerns about their prescription formats.
- Will be attending the University of Utah School on Alcoholism and Other Drug Dependencies, June 15 – 20.

George Roe reported:

- Participated in Accreditation Counsel for Pharmacy Education accreditation review of Washington State University in Pullman and Spokane. This is done every six years.
- Mr. Roe attended a continuing education class on background checks. He thought it would be something the rest of the board would be interested in and passed out information on it.

Gary Harris reported:

- Gary attended a meeting featuring the Pharmaceutical Household Waste Return Mechanism (PH:ARM) pilot where Board Investigator Stan Jeppesen presented.

Rosemarie Duffy reported:

- Attended the 104th National Association of Boards of Pharmacy (NABP) meeting in Baltimore. Ms. Duffy highlighted presentations from the meeting.
 - Teen addiction – “Prescription Medications: The New Heroin” The use of prescription medications has had greater increase than all other drugs including alcohol except marijuana. Accidental drug poisoning now 2nd leading cause of teen death after car crashes. Educational Poster Session- Protecting the Public
 - Legislative and Regulatory Updates included Indiana legislation on internet pharmacies; Arkansas bills addressing practitioner/patient relationships; and California requiring a comprehensive electronic pedigree system to track and trace the passage of prescriptions drugs through the entire supply date. Manufacturers will be required to comply with the pedigree standard in 2011, distributors in 2013 and pharmacies in 2015.
 - **Federal Legislation:**
 - H5839: “serialization of high risk drugs” earliest 2011 and 2013 for other drugs.
 - “Pharmacy Technician Training Registration Act of 2008 also known as “Emily’s Act”.
 - Amends the Public Health Service Act is now in “Committee”. All but 12 states register or license Pharmacy Techs: 39 states have training and/or CE requirements.
 - Overview of CMS Medicaid Integrity Program:
 - Part of Deficit Reduction Act of 2005; funding is \$560 million over 5 years

- Medicaid Tamper Resistant Prescription Paper (TRPP):
 - Covers WRITTEN prescriptions
 - Does NOT apply if refill
 - Also does not apply in some emergency situations
 - As of 10/01/08 prescriptions must contain all three of these characteristics:
 - Unauthorized copying of a completed or blank prescription form
 - The erasure or modification of information written on the prescription pad by the provider
 - The use of counterfeit prescription forms
 - RX must also be the standard size required.
 - The law does not prevent pharmacists from filling an Rx that does not meet these requirements; it does prevent him from being paid.

Albert Linggi reported

- Attended the 104th annual NABP meeting. Mr. Linggi networked with board members from other states. He gained a better understanding of the challenges other boards are facing. Although the challenges can be quite diverse their focus is on public health. They are dealing with a number of initiatives very similar to our board.

Rebecca Hille reported:

- Ms. Hille attended the Health Professionals Quality Assurance Board and Commission Leadership Forum May 08, 2008. The group was introduced to Karen Jensen the Acting Assistant Secretary. Ms Jensen discussed the new transition and changes the division is undergoing.
- Table Top discussion included:
 - Items that have gone through legislative session
 - There was a review on the Uniform Disciplinary Task Force
 - Evidence based Science Information Portal through the University of Washington (Heal-WA). **Fourteen** professions that will be charged \$25 surcharge with their license fees. This gives them access of resources through the University of Library System. Pharmacy is not included in this surcharge.

Executive Director

Steven Saxe reported:

- Mr. Saxe also attended the May 08, 2008 Health Professionals Quality Assurance Boards and Commissions Leadership Forum.
- Mr. Saxe attended the NABP meeting along with Rosemarie Duffy and Al Linggi.
 - He agreed with Rosemarie on the riveting coverage of the "Teen addiction – Prescription Medications: The New Heroin". They were encouraging education. They discussed the concept of how clean prescription drugs are then doing heroin or cocaine but yet how deadly they are. The topic of the important role a pharmacist plays into this and counseling on how to store and dispose of these prescriptions. This just ties into Take Back Program, Prescription Monitoring Program, and Destruction of unused medications.
 - The meeting with Department of Social and Health Services, BOP, Washington State Pharmacy Association on Tamper Resistant Prescription was discussed at the NABP Meeting. This meeting was to talk about what those out in the field are seeing. The next step is to see what can be done jointly to address this issue.
 - Pharmacy Technicians
 - Electronic and technology both RFID technology and tracking tracing technology
 - Legislative action around internet pharmacies

- Verification of wholesalers
- Discussion around E-Prescribing
- Last day they went over Resolutions:
 - 1) "TALL MAN" Letter Utilization for Look-Alike Drug Names: Pass
 - 2) Standardized Internship Registration: Pass
 - 3) Task Force on Uniform Prescription Labeling Requirements: Pass
 - 4) Task Force on Standardizes Pharmacy Technician Education and Training: Pass
 - 5) Task Force On Medication Collection Programs: Pass
 - 6) Behind-the-Counter Class of Drugs: Pass
 - 7) Pharmacy Technology Assessment by NABP: Not Pass
 - 8) Teen Prescriptions Medication Abuse: Pass
 - 9) Recognition Resolution: Pass
- Steven then discussed the DOH Re-Organization:
 - 1) Health Professions and Facilities Office: The physical transfer will begin July 1, 2008
 - 2) Customer Service Office: May 1, 2008 the transfer has been made
 - 3) Investigation and Inspection Office: Start making transfers in June 2008
 - 4) Legal Support Office: Begin transfer in June 2008
 - 5) Community Health Systems Office: May 1, 2008 transfer has been made.
- Everything will continue on as normal. Quarterly investigator meetings, Case Management Team will continue.
- Once the Health Professions and Facilities Office organization chart is finalized Steve is ready to begin recruitment for a Pharmacist Executive Director. He would like the board to participate in this recruitment.

Assistant Attorney General

Michael Tribble reported:

- Mike gave a brief introduction of himself he has been with the A.A.G office since 2000.

Consultant Pharmacists

Cathy Williams reported:

- Survey results are in for Medication Safety Initiative project for the Washington Patient Safety Coalition.
 - The survey was given to Physicians, Pharmacists, Advanced Registered Nurse Practitioners (ARNP) and consumers. The ARNP's didn't respond so they were excluded from the data
 - The key results are EMR (electronic medical record) experience find this is very helpful in medication management.
 - Medication lists are helpful to patients but many barriers to keeping them up to date
 - Consumer respondents found the list to be very valuable to them and their families.
 - The next step will be to create a one page summary and present it to the PR/media/communication colleagues for some feedback

Chief Investigator

Grant Chester reported:

- Joseph Honda is acting as Gregory Lang's trainer the two of them are currently working and performing pharmacy inspections. He plans for them to concentrate on the inspection back log in the greater Seattle area. Grant is still on track to re-start hiring for the permanent part-time investigator position.
- The continued success of ILRS remains a focus and all of Grant's free time has been focused on assisting the processing of pharmacy renewals that expire on June 1, 2008.

Harold E. Bennett	Seattle WA
John A. Benson	Bellingham WA
Elwin H. Blair	Bellevue WA
Walter G. Davison	Port Angeles WA
Ann C. Donnelly	Tucson AZ
Ronald D. Gilbert	Portland OR
Robert J. Grady	Whitefish MT
Ralph N. Herbison	Spokane WA
Donald L. Kelly	Wenatchee WA
Michael D. Lyon	Prosser WA
John S. McCluskey	Naches WA
Laverne F. Moore	Pendleton OR
Daniel J. Nault	Lynnwood WA
Charles E. Nunn	Buckley WA
Joan C. Skalabrin	Port Orchard WA
Donald A. Stoeber	Anacortes WA
James C. Wright	Gig Harbor WA
Marvin L. Wheeler	Harrison ID

PRESENTATION

Nursing Home Pharmaceutical Waste Collection Pilot Program

Grant Chester gave a presentation to ask the board to consider the Foss Nursing Home and Assisted Living Facility proposal for a pharmaceutical waste collection pilot program. In addition, staff requests that the board delegate approval of similar proposals to staff.

Highlights

- Add long term care facilities as a new category into the pilot program.
- Collection boxes will be kept in a regulated area and chained to something in the store.
- Routine schedule for pick up.
- Time frame for pick up will be based on how fast the box fills up.
- There will not be controlled substances.
- Licensed Healthcare Professional will be accountable for the screening of the collection box.
- Stan Jeppesen will go through and spot check what is in the box.
- Chemotherapy agents added to the problematic list.

MOTION: Dan Connolly moved the board accept nursing home and other institutions can become test sights for the PH:ARM Program. Gary Harris amended that the board consider Foss Nursing Home and Assisted Living Facility for a proposed pilot program for Pharmaceutical Waste Collection and that the board delegate approval of similar programs to staff. Dan Connolly and Dr. Vandana Slatter second. **MOTION CARRIED. 7-0.**

The board adjourned at 12:10 p.m. and reconvened at 1:06 p.m.

DISCUSSIONS Cont'd

Below Threshold Criteria for Profession-Specific Allegations - Procedure 205 Initial Assessment and Case Disposition.

Janelle Teachman presented a power point presentation to the board to discuss and establish a list of profession-specific types of complaints or cases that may be considered as below the threshold warranting an investigation.

- Now that the board has adopted new sanction guidelines there is an opportunity for you to go back and update your below threshold guidelines

- The Assessment worksheet represents the cases that are closed below threshold. Or we will mark that we want them to go onto investigation.
- The Case Disposition Worksheet once they come back from investigation and we are determining whether we will close it or move forward for legal action.
- A board member will not see an assessment worksheet unless you are on the chair of the Case Management Team.

MOTION: Rosemarie Duffy moved that the board accept this list of below the threshold items and reaffirm approval of Procedure 205. George Roe second. **MOTION CARRIED. 7-0.**

Sanction Guidelines

Janelle Teachman, Disciplinary Manager provided an analysis of disciplinary sanctions imposed by the board since the adoption of Secretary's Sanction Disciplinary Guidelines in April 2007. The objective of the guidelines is to improve patient safety through facilities and health care professional regulatory processes; apply appropriate sanctions for misconduct; and to assure that if the practitioner is allowed to continue to practice, he or she does so safely.

The Secretary's sanction guidelines were adopted by all boards and commissions December 31, 2007. Ms. Teachman shared statistics on compliance with the sanction guidelines:

- 95% of all final decisions comply with sanction guidelines each quarter. This brings the Secretary compliance 4% above target from July 07- March 08.
- 80% of all final decisions comply with sanction guidelines each quarter. The board is above its target from July 07 – March 08. From 17% for the Board of Pharmacy, 14% for the Veterinary Board of Governors, and 13% for other boards.
- There was one case in December 2007 that did not fall within the guidelines. So far this year the board's decisions have all been within our guidelines.
- Our new challenges are to turn the Sanction Guidelines into rules so they can be enforced.
 - Bill Kellington, the new Director of HSQA Legal Services Office is the lead to develop these Secretary rules through the public process.
 - Board and commissions who wanted to have representatives on a workgroup and other will soon begin meeting to discuss what these rules might look like.
 - In accord with 4SHB 1103, the rules must be in place by January 1, 2009, a short time frame for this public process.
 - The new rules may result in standards somewhat different from what we've been measuring.

CORRESPONDENCE

The following correspondence was reviewed and discussed by the board.

- Letter to Drug Enforcement Administration regarding federal law prohibiting split-billing for CII prescriptions.
- Draft Uniform Staff Training Policy: Students with Asthma
- Health Professions – Disciplinary & Summary Action Comparison

OPEN FORUM.

No Comments.

PRESENTATION OF AGREED ORDERS

STAKEHOLDER MEETING

WAC 246-887 Regulations Implementing the Uniform Controlled Substances Act.

Stakeholder meeting to consider including carisoprodol as a Schedule IV controlled substance.

Note: Meeting notes are available by request.

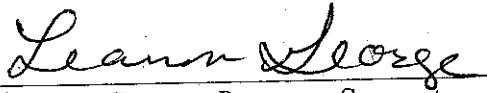
BUSINESS MEETING ADJOURNED

There being no further business, the board adjourned at 3:55 p.m. The Board of Pharmacy will meet again on July 17, 2008 for its regularly scheduled business meeting in Tumwater, Washington.

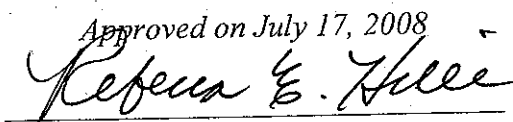
CLOSED SESSION

Case presentations

Respectfully Submitted by:



Leann George, Program Support

Approved on July 17, 2008


Rebecca Hille, Chair
Washington State Board of Pharmacy